

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

High Court of Andhra Pradesh, Hyderabad – Implementation of the orders of the Hon'ble High Court dated 08-06-2010 in W.P.No.2742 of 2005 filed by Sri P. Bangar Raju, Un-Employee, R/o Bhimavaram, West Godavari District for appointment as Attender, DNR College, Bhimavaram. West Godavari District in the Aided post reserved for V.H.Quota – Orders – Issued.

HIGHER EDUCATION (C.E.II.1) DEPARTMENT

G.O.Rt.No. 481

Dated:19-07-2012.
Read the following:-

1. Orders of the Hon'ble High Court dt. 8-6-2010 in W.P.No.2742/2005 filed by Sri P.Bangar Raju, Un-employee, Bhimavaram, W.G.Dist.
2. From the C.C.E., Lr.Rc.No.1276/Admn.III-1/2003, dt.21-07-2010.
1. From the C.C.E., Lr.Rc.No.1276/Admn.III-1/2003, dt.16-05-2012.

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O R D E R:-

The Hon'ble High Court while allowing the W.P.No.2742 of 2005 filed by Sri P.Bangara Raju, Un-employee, Bhimavaram, W.G. District for appointment as Attender, DNR College, Bhimavaram. W.G. Dist., in the Aided post reserved for V.H.Quota and its order first read above among other things held that:-

"The Writ Petition is allowed, setting aside the impugned proceedings dated 21-12-2004 and the respondents are directed to consider approval of the proposal sent by the 3rd respondent on 22-10-2003, within a period of four weeks from the date of receipt of a copy of this order".

2. The Commissioner of Collegiate Education, A.P., Hyderabad in the letters 2nd and 3rd read above while explaining the circumstances of the case, has finally stated that the observation of the Division Bench, the Learned Single Judge is right in regard to roster point No. 6 meant for 6 VH(General or OC) and not for 6 (VHW). The Division Bench relying on the judgment of the Supreme Court of India, in E.V.Chinnaiah Vs. State of Andhra Pradesh (2005(1) ALT 1 (SC) observed that the D.C.E's observation that the persons with 100% disability are to be given priority over partially Handicapped (with 45% disability) in the selection untenable in law. The Division Bench while dismissing the Writ Appeal has observed that the Government/C.C.E., neither brought to the notice of the Court nor produced any record with regard to any better merited candidate than the first respondent. In such circumstances, we do not see any merit in the Writ Appeal. Consequently, the Writ Appeal is dismissed. No order as to cost.

3. The Commissioner of Collegiate Education has further stated that the above said orders of the Division Bench of Hon'ble High Court, dated 20-01-2012 have become final and liable to be implemented. The Commissioner of Collegiate Education requested the Government to issue immediate necessary orders in the matter.

4. After careful examination of the entire issue and to comply the orders of the Hon'ble High Court in reference 1st read above, the Government hereby accord permission to the Commissioner of Collegiate Education to appointment Sri P. Bangar Raju, Un-employee, Bhimavaram, West Godavari District as Attender in the Aided post of DNR College, Bhimavaram, West Godavari District, which is reserved for Visually Handicapped quota in the said College, duly quashing the Proceedings of the Commissioner of Collegiate Education in Rc.No. 1276/ Admn.III-1/2003, dated 21-12-2004.

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5. The Commissioner of Collegiate Education, A.P., Hyderabad shall take further action in the matter accordingly.

6. This Order issues with the concurrence of Finance (PC.III) Department vide their U.O No. 19350-B/275/A1/PC.III/2012, dated 17-07-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.G. GOPAL,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Collegiate Education, A.P., Hyderabad.

The Government Pleader for Higher Education, High Court of A.P., Hyderabad.

The Accountant General, A.P., Hyderabad

The Director of Treasuries and Accounts, A.P., Hyderabad.

Copy to:

P.S to Dy. C.M.

P.S. to Principal Secretary (Higher Education)

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER